

CITY COUNCIL  
ATLANTA, GEORGIA

02-O-0969

**AN ORDINANCE**

**BY: COUNCILMEMBER CARLA SMITH**

**AS SUBSTITUTED BY CITY UTILITIES COMMITTEE**

**AMENDING CITY OF ATLANTA CODE OF ORDINANCES SECTION 130-10 TO REQUIRE CONCRETE TRUCKS, CEMENT TRUCKS AND DUMP TRUCKS OPERATING ON PUBLIC STREETS IN THE CITY OF ATLANTA TO USE APPROPRIATE SPILL PROTECTION DEVICES; AND FOR OTHER PURPOSES.**

**WHEREAS**, the residents in District 1 have complained to the Councilmember of the district of ready-mixed concrete trucks depositing cement of the City's rights-of-way; and

**WHEREAS**, the Councilmember of their district is willing to assist them in getting this problem resolved; and

**WHEREAS**, it is industry standard in the construction and materials hauling industry to utilize spill prevention and capture devices on concrete, **cement** and dump trucks when operating on public streets and highways; and

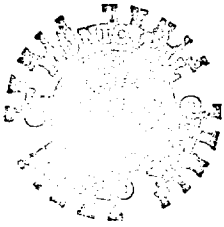
**WHEREAS**, the regular and consistent use of such devices will significantly reduce the number of spills and the resulting damage to public streets and private vehicles.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA**, as follows:

**SECTION 1.** That Section 130-10 of the City of Atlanta Code of Ordinances is amended to read as follows:

Section 130-10, Concrete, Cement, Gravel, Sand, Dirt, and Asphalt Hauling

Any person engaged in hauling concrete, cement, gravel, sand, dirt, or asphalt on any public street within the corporate limits of the City shall load or fill vehicles so as to not allow spillage of any material onto the City streets or sidewalks. All vehicles hauling wet concrete, cement or loose material are required to use suitable covers, and spill prevention and capture devices to prevent materials from blowing, spilling, or dripping from the vehicle.



Operating any such vehicle on a public street within the City of Atlanta without appropriate covers, or spill prevention and capture devices in place is a violation of City Code and is punishable by a minimum fine of \$500.00, but not to exceed \$1,000.00 per occurrence or 30 days imprisonment or both at the discretion of the trial judge.

In the event that spillage does occur in spite of the appropriate use of said devices, the person responsible for the operation of the vehicle shall take immediate action to remove the material from the street or sidewalk. Shoveling, sweeping, or vacuuming the material and removing it from the roadway is an appropriate response.

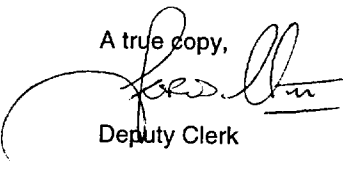
Failure to remove spilled material from a public street or sidewalk, or washing spilled material into any storm sewer, sanitary sewer, catch-basin, manholes, or other drainage-way is not an acceptable response, and is a violation of City Code and is punishable by a minimum fine of \$500.00, but not to exceed \$1,000.00 per occurrence or 30 days imprisonment or both at the discretion of the trial judge.

Implementation of this code section does not reduce liability under any other applicable state or federal law, rule, or requirement.

The Chief of Police and the Commissioner of Public Works are both authorized to enforce this Section.

**SECTION 2.** That all ordinances and parts of ordinances in conflict herewith are hereby waived to the extent of the conflict.

A true copy,

  
Deputy Clerk

**ADOPTED** as amended by the Council  
**APPROVED** by the Mayor

JULY 15, 2002  
JULY 22, 2002

RCS# 3893  
7/15/02  
5:12 PM

Atlanta City Council

Regular Session

CONSENT I

Pgs. 1-11; EXCEPT 02-R-1278

ADOPT

YEAS: 13  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 3  
EXCUSED: 0  
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	NV Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	NV Boazman	NV Woolard

1 <sup>st</sup> Consent I Vote:	15 Yeas; 0 Nays	(See RCS #3874)
Reconsidered	11 Yeas; 0 Nays	(See RCS #3892)

CONSENT I

		07/15/02 Council Meeting
ITEMS ADOPTED ON CONSENT AGENDA	ITEMS ADOPTED ON CONSENT AGENDA	ITEMS ADVERSED ON CONSENT AGENDA
1. 02-O-1255	34. 02-R-1229	52. 02-R-1197
2. 02-O-1256	35. 02-R-1230	53. 02-R-1198
3. 02-O-1262	36. 02-R-1231	55. 02-R-1199
4. 02-O-0969	37. 02-R-1252	56. 02-R-1200
5. 02-O-1149	38. 02-R-1183	57. 02-R-1201
6. 02-O-1100	39. 02-R-1184	58. 02-R-1202
7. 02-O-1175	40. 02-R-1185	59. 02-R-1203
8. 02-O-1105	41. 02-R-1186	60. 02-R-1204
9. 02-O-1109	42. 02-R-1187	61. 02-R-1205
10. 02-O-1110	43. 02-R-1188	62. 02-R-1206
11. 02-O-1111	44. 02-R-1189	63. 02-R-1207
12. 02-O-1112	45. 02-R-1190	64. 02-R-1208
13. 02-O-1113	46. 02-R-1191	65. 02-R-1209
14. 02-O-1114	47. 02-R-1192	66. 02-R-1210
15. 02-O-1115	48. 02-R-1193	
16. 02-O-1116	49. 02-R-1194	
17. 02-O-1117	50. 02-R-1195	
18. 02-O-1144	51. 02-R-1196	
19. 02-R-0363		
20. 02-R-1225		
21. 02-R-1249		
22. 02-R-1250		
23. 02-R-1251		
24. 02-R-1263		
25. 02-R-1276		
26. 02-R-1277		
27. 02-R-1214		
28. 02-R-1215		
29. 02-R-1274		
30. 02-R-1211		
31. 02-R-1212		
32. 02-R-1227		
33. 02-R-1228		

02-0-0969

(Do Not Write Above This Line)

## AN ORDINANCE BY

COUNCILMEMBER CARLA SMITH

AUTHORIZING THE MAYOR OR HER  
DESIGNEE TO AMEND THE CODE OF  
ORDINANCES OF THE CITY OF ATLANTA TO  
REQUIRE CONCRETE TRUCKS OPERATING  
IN THE CITY OF ATLANTA TO USE A FORM OF  
DIAPER TO PROHIBIT CONCRETE FROM  
BEING PERMANENTLY DEPOSITED ON THE  
CITY'S R-O-W; AND FOR OTHER PURPOSES.

ADOPTED BY

JUL 15 2002

COUNCIL  
AS AMENDED

- ☐ CONSENT REFER  
☐ REGULAR REPORT REFER  
☐ ADVERTISE & REFER  
☐ 1st ADOPT 2nd READ & REFER  
☒ PERSONAL PAPER REFER

Date Referred 5/20/02

Referred To: City Utilities

Date Referred

Referred To:

Date Referred

Referred To:

## First Reading

Committee \_\_\_\_\_  
 Date \_\_\_\_\_  
 Chair \_\_\_\_\_  
 Referred to \_\_\_\_\_

Committee City Utilities  
 Date May 28, 2002  
 Chair \_\_\_\_\_

Action:  
 Fav, Adv, Hold (see rev. side)  
 Other:

Members

Refer To

Committee City Utilities  
 Date 7/19/02  
 Chair Alan Miller  
 Action: Substantive  
 Fav, Adv, Hold (see rev. side)  
 Other: as amended

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

## FINAL COUNCIL ACTION

☒ 2nd ☐ 1st & 2nd ☐ 3rd  
 Readings  
☒ Consent ☐ V Vote ☒ RC Vote

CERTIFIED

CERTIFIED  
 JUL 15 2002

ATLANTA CITY COUNCIL PRESIDENT

Catherine W. Woodard

CERTIFIED  
 JUL 15 2002

Flora D. Benjamin Johnson  
 MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

Amiley 7/22/2002  
 MAYOR